

USSN 10/056,619
Atty. Docket No. 1999-0013-01

Remarks

Claims 1-77 are present in the above captioned application. Claims 1-77 have been rejected for obviousness double patenting. Applicants have submitted a terminal disclaimer, making the rejection for obviousness double patenting improper. Applicants respectfully request that the Examiner withdraw the rejection of claims 1-77 for obviousness double patenting and allow claims 1-77.

Claims 18, 19, 20, 23, 27, 41, 45, 51, 54, 57, 62, 69, 75 and 76 have been amended to correct certain errors in formality and, in one case, possible confusion as to meaning. Claim 18 was amended to correct a mistake in the claim as drafted and a lack of antecedent basis. Claim 19 was amended to correct an incorrect claim dependency. Claim 20 was amended to correct a grammatical error. Claim 23 was amended to correct an error in proper antecedent basis. Claim 27 was amended to correct an error in proper antecedent basis. Claim 41 was amended to correct a typographical error. Claim 45 was amended to correct a grammatical error. Claim 51 was amended to correct an error in improper claim dependency. Claim 54 was amended to correct grammatical errors. Claim 57 was amended to correct a possibly confusing recitation and to correct a lack of proper antecedent basis. Claim 62 was amended to correct a lack of proper antecedent basis. Claim 69 was amended to correct grammatical errors and errors in proper antecedent basis. Claim 75 was amended to correct a grammatical error. Claim 76 was amended to correct a lack of proper antecedent basis.

New claims 78-154 have been added to address each of these just mentioned issues but also to clarify certain recitations, e.g., by removing references to what might be considered means-plus-function language where not needed, to remove certain unnecessary recitations not needed to define over the art and to clarify, e.g., the differences between gas discharge pulses and laser output pulses and electrical pulses, and to remove such possibly non-structural limitations as "configured to" and "capable of" in order to more particularly point out and distinctly define the inventions of the above captioned application.

All of the above amendments and claim additions are not intended to define further over any art of record and are only for correcting the failure to satisfy, or improving upon the satisfaction of, the formalities of 35 U.S.C. §112, and do not alter or diminish the scope, intent, meaning or spirit of the claims as originally filed and as allowed by the Examiner.

Applicants do not concede that all of the claims in the above captioned application are properly rejected under obviousness double patenting and in fact many claims do not find

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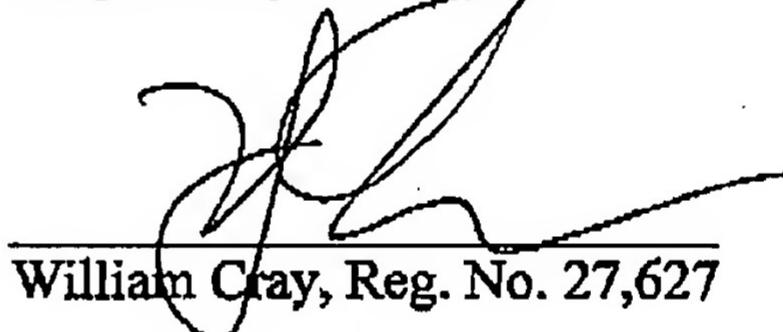
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counterparts in either of the patent and application (recently issued) relied upon by the Examiner in making the obviousness double patenting rejection. However, since at least claim 1 would appear to be obvious as a whole from the system claimed in the respective claim 1 in each of the patents to which the Examiner has referred, applicants have submitted a terminal disclaimer as to each such patent.

Applicants submit that with the terminal disclaimer the claims pending in the above captioned application, claims 1-77, should be allowable and the Examiner is respectfully requested to withdraw the rejection of claims 1-77 and allow claims 1-77, and also to allow the corresponding newly added claims 78-154.

Applicants authorize the Commissioner to charge the total amount of \$2,632.00 to applicants' assignee's Deposit Account No. 03-4060 for two terminal disclaimer fees of \$220.00 and \$2,412.00 for the newly added claims. Applicants do not believe any other fees are due however, if any additional fees are due, authorization is hereby given to charge the just referenced Deposit Account the appropriate amount.

Respectfully submitted,



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